

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78957 of 2018

Arising Out of PS. Case No.-135 Year-2016 Thana- LADANIA District- Madhubani

Shiva Nand Jha son of Sheri Vinay Kumar Jha, Resident of Village- Kabilpur,
P.S.- Laheriyasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra
For the Respondent/s : Sri Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Ladaniya P.S. Case No. 135 of 2016 registered for offences punishable under sections 409 and 420 of the Indian Penal Code.

Today a supplementary affidavit has been filed by the petitioner wherein in paragraph 2 the statement has been made that the alleged offence has been committed during the period from 15.10.2011 to 01.03.2013 by one Sanjay Kumar and the petitioner joined the Branch on 05.09.2014 and relieved from there on 07.11.2015.

The learned counsel for the petitioner submits that the petitioner was not a Branch Manager at the relevant time when the offence was committed and the allegation cannot be extended



against the present petitioner.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of 4th Additional Chief Judicial Magistrate, Madhubani in connection with Ladaniya P.S. Case No. 135 of 2016, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. It is also made clear that when the Police would call the petitioner for the purpose of enquiry, he would remain present himself for interrogation by the Police. In failure, the prosecution party will have liberty to make a prayer for cancellation of the bail of the present petitioner before the court below.

(Shivaji Pandey, J)

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